

REMARKS

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1, 3 – 10, 32, 33, and 36 - 39 as allegedly being “anticipated” by U.S. Patent No. 5,884,300 to Brockman. Claim 1 and Claim 37 have been amended. Therefore, Applicants traverses this rejection based on the above Amendment and the following Remarks, and respectfully request that the Examiner reconsider the rejection, and that he withdraw it.

In a rejection under 35 U.S.C. § 102, each and every claim element must be present in the applied reference. However, Brockman does not teach or suggest “identifying at least one inventory process associated with said discrepancy establishing a desired performance metric associated with said process; establishing an actual performance metric of said process in response to said discrepancy; comparing said actual and desired performance metrics; and establishing a plan to correct the at least one deficiency in response to said comparison, the plan including specific changes to current inventory practices” as recited in amended Claim 1.

With respect to amended Claim 32, the Examiner has stated that the management report disclosed in Brockman (e.g., as illustrated in Fig. 2, S435 of Brockman), teaches “receiving a claim associated with said inventory”. Claim 32 has been amended to further clarify the step of “receiving a claim associated with a part shipment, where said part is of a part type and is associated with said inventory”, “analyzing said claim” , and establishing said plan in response to said claim analysis. Therefore, the claim is associated with a part shipment. Brockman does not teach such a claim, analyzing such a claim, or establishing a plan in response to such a claim. The management report disclosed in Brockman isn’t a claim associated with a shipment, but rather (as disclosed), simply a report indicating an overage or shortage of inventory occurred. In addition, Brockman does not disclose “analyzing the claim in response to a characteristic of said part” (Claim 46), where said characteristic is “at least one of a part labeling and a part packaging”, as recited in Claim 47. In addition, Brockman does not teach or suggest the claim being “associated with an error in the type of part shipped” (recited in Claim 50), or “comparing said actual and desired

shipped part locations” as recited in Claim 51, or establishing a plan that includes “changing an inventory location of one of said actual and desired shipped part”, as recited in Claim 52.

In light of these amendments, Independent Claim 1, and the associated dependent claims (3 – 11, 32 – 36, and 43 – 51), are believed to be allowable.

The Examiner has rejected Claim 37. Claim 37 has been amended to include some of the limitations of withdrawn Claim 38. With respect to withdrawn Claim 38, the Examiner indicated that the management report disclosed in Brockman is the equivalent of the received claim, now recited in Claim 37. However, Claim 37 been amended to further clarify the step of “assessing at least one inventory record associated with the facility, said recording being associated with a received claim associated with a part shipment, where said part is of a part type and is associated with said inventory”, “analyzing said claim”, and “changing an inventory practice in response to said record discrepancy and said analysis”. Therefore, the claim is associated with a part shipment. Brockman does not teach such a claim, analyzing such a claim, or changing an inventory practice in response to such a claim. The management report disclosed in Brockman isn’t a claim associated with a shipment, but rather (as disclosed), simply a report indicating an overage or shortage of inventory occurred. Therefore, Claim 37, and the associated dependent claims (Claim 39 – 42) are believed to be allowable.

Claim 54 has been added. Claim 54 is believed to be allowable because Brockman does not teach “receiving a claim associated with a part shipment, where said part is of a part type and is associated with said inventory; [and] assessing a plurality of current computer based inventory records associated with the facility in response to said claim”.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claim 11 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 5,884,300 to Brockman in view of Official Notice. The rejection is respectfully traversed. Claim 11 depends from amended Claim 1, which is believed to be in a condition for allowance. Accordingly, since Claim 11 depends from an allowable claim, it is also believed to be in a condition for allowance.

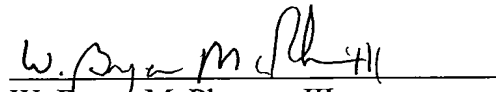
The Examiner has rejected claims 34, 35, 40, and 41 as being unpatentable over Brockman in view of U.S. Patent Application No. US 2002/0072977 (hereinafter "Hoblit"). The Examiner states that Hoblit teaches that inventory analysis "can be generated on theft prone or problem prone inventory (see paragraph #0021)." The passage, referenced by the Examiner, in Hoblit recites "It is noted that the on-line inventory database may not be accurate due to theft, damaged goods, etc." [Paragraph 21, Hoblit]. However, this, even combined with Brockman does not teach or suggest identifying a characteristic of a part in said inventory in response to a claim associated with a shipment, where the characteristic "includes at least one of a problem prone part, and a theft prone part", as recited in Claim 34, and 40. In addition, Hoblit does not teach or suggest "reorganizing at least a portion of said inventory in response to said problem prone part identification", as recited in Claim 35 and 41.

Therefore, Claims 34, 35, 40, and 41 are not taught or suggested by Hoblit, or the combination of Hoblit and Brockman.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections, and that he withdraw them. The Examiner is courteously invited to telephone the undersigned representative if he believes that an interview might be useful for any reason.

Respectfully submitted,


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